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profits sufficient to pay off some of his notes and reduce his line of credit to more manageable dimensions. If the packing combination or trust were in working order it would have been quite easy for the packers to continue the large profits for a long time. The actual situation shows how clearly their power is limited and how narrow the margin of advantage which the big packer possesses over the smaller packer or the butcher. Until November 25 retail prices did not decline. Hogs had declined \$1.50 by November 21 with a gradual increase in the number killed by local butchers and more rapid increase in the number shipped to eastern markets. With the sharp break in prices the butchers and shippers became more aggressive. Men who had been out of the market for months began to buy and kill hogs instead of buying their meat from the packers. They had cash or credit to pay for \$4.00 hogs even if the big packers did not, and their competition during the last week in November put prices up a dollar a hundred to the farmer. Their competition or other cause also reduced prices of fresh meat to the retailers, showing rather conclusively that the market is not in the control of any trust or combination.

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#### AN IMPORTANT LABOR INJUNCTION

The decision recently handed down by Judge Gould of the Supreme Court, District of Columbia, enjoining the American Federation of Labor from further boycotting the Buck's Stove and Range Co., of St. Louis, may have considerable influence in determining the future trend of the American labor movement.

For some years the American Federation of Labor has been publishing in its official journal, the *American Federationist*, lists of manufacturers supposedly hostile to union labor. Some time ago the Buck's Company brought action in the courts to have the federation enjoined from publishing its name in these so-called "unfair" and "we don't patronize" lists on the ground that its business was thus being destroyed by an illegal conspiracy.

This case was of more than local importance. Mr. Van Cleave, president of the Buck's Co., is likewise president of the National Association of Manufacturers. At the last convention of that powerful association it was voted to expend \$500,000 per year during

the ensuing three years for "educational purposes." Just what was meant by "educational purposes" is not entirely clear, but there can be little doubt that the main part of the association's educational programme was to destroy the closed shop, to combat the sympathetic strike, to check the use of the union label, and to prevent the publication of "unfair" lists by trade-union journals. The suit of the Buck's Company, therefore, was really one of the first important moves in a general campaign waged by the National Association of Manufacturers against certain principles and practices of American trade-unions. If the association did not bear the expense of the suit, there can be little doubt that it would have been willing, if called upon, to do so.

The American Federation of Labor seemed to realize that this was no ordinary fight, and prepared to resist the attack vigorously at every point. At the Norfolk convention of the federation, held in November, 1907, a special committee was appointed to report on the suit of the Buck's Stove and Range Co. After due deliberation this committee brought in a resolution condemning the suit as an attack on the rights of free speech and a free press. The resolution authorized the president and the executive council of the federation to levy a special assessment of one cent per capita on all members of the federation in order to fight the suit to a finish, and should the amount thus raised be found insufficient, they were authorized to make still further assessments. This resolution was adopted unanimously by the convention.

The decision of Judge Gould closes the first stage of this fight. The Buck's Company is victorious at every point. According to the terms of the decision, the American Federation of Labor, its members and agents

are restrained and enjoined until the final decree in said cause from conspiring, agreeing, or combining in any manner to restrain, obstruct, or destroy the business of the complainant, . . . and from printing, issuing, publishing, or distributing, through the mails, or in any manner, any copies or copy of the *American Federationist*, or any other printed newspaper, magazine, circular, letter, or other document or instrument whatsoever, which shall contain or in any manner refer to the name of the complainant, its business, or its product in the "we don't patronize," or the "unfair" list of the defendants.

While the federation will contest the application of the Buck's Company that the injunction be made permanent, there seems little reason to believe that Judge Gould's decision will be reversed.

Boycotts have been declared illegal in every state in the Union, and if we are to judge by their attitude in the past, most judges would follow Judge Gould in declaring the publication of a firm's name upon "unfair" and "we don't patronize" lists to be a boycott.

The manufacturers are already rejoicing over the decision as the most signal victory yet achieved in the efforts made to rid this country of the vicious and un-American practice directed against American industries by organized labor as represented by Gompers and his inner ring.

Certain it is that the immediate effect of the decision will be to take away from the trade-unionists one of their most powerful weapons. The Buck's Company itself gave most eloquent testimony to the efficiency of the boycott when it declared that the unions were rapidly ruining its business thereby. There is still another reason why the manufacturers count this a great victory. As stated above, this suit is but one phase of a general campaign which the National Association of Manufacturers is waging against certain trade-union practices. Its victory in this case will tend to bring other employers into the association, and thus to increase its strength for further struggles with the American Federation of Labor.

It may be, however, that ultimately this decision will have far different consequences from what the employers anticipate. There is a widespread feeling among trade-unionists that they are gradually being shorn of their power by the courts. The repeated issuance of injunctions against picketing and other union activities in time of strike, and the invalidation of important labor legislation as unconstitutional, have made the unionists feel that the courts, as now constituted, are hostile to labor. The wage-workers are coming to feel more and more that if they are to secure favorable legislation and favorable court decisions they must elect men from their own ranks to the legislature and the bench. Judge Gould's decision will go far to strengthen that conviction. The unionists realize that the case was important, not only as involving the right to publish lists of "unfair" employers, but as a general test of strength between the Federation of Labor and the Association of Manufacturers. Hence they feel the defeat keenly. Already leading trade-unionists are comparing this with the famous Taff-Vale decision in England, and are predicting similar consequences. The Buck's Company injunction does not, to be sure, strike so close to the pocketbook as did the Taff-Vale decision, nor are political condi-

tions here exactly the same as in England. Nevertheless, there can be no doubt that Judge Gould's decision will give a marked impetus to the growing sentiment among American trade-unionists in favor of independent political action. It hardly seems probable that the trade-unionists will allow themselves to be beaten back from position to position without using every weapon in their arsenal. The one powerful weapon, which, as yet, they have hardly begun to utilize, is the ballot.

Employers' associations may destroy this or that particular manifestation of trade-unionism, but they cannot destroy its spirit. The trade-union spirit is an inevitable outcome of the activities and environment of the wage-worker under present industrial conditions, and cannot be destroyed so long as those conditions remain unchanged. If one weapon of the trade-unionists is destroyed, he is practically certain to find or develop another—perhaps more effective—to take its place.

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### WASHINGTON NOTES

ALDRICH BILL

FOWLER BILL

COMPTROLLER ON BANKING CONDITIONS

EMPLOYERS' LIABILITY

PHILIPPINE TARIFF

With the opening of Congress after the holiday recess, the real currency discussion of the winter has begun. Senator Aldrich introduced on January 7 a bill (S. 3023) "to amend the national banking laws." This bill is the joint product of Senators Hale, Allison, and Aldrich, and represents the currency ideas which have latterly been taking shape in the Senate. Its main thought is that of creating an "emergency currency" based on state, municipal, and railroad bonds. These bonds are to be deposited with the treasurer or any assistant treasurer of the United States, and are to form the basis of the emergency issues. Such issues are, however, not to amount in the aggregate to more than \$250,000,000 and they are not to be issued by any bank unless it already has outstanding bank notes of the present type secured by United States bonds and aggregating 50 per cent. of its capital stock, while